# HIGH COURT OF CHHATTISGARH AT BILASPUR

## WRIT PETITION (S) No. 2971 of 2007

**PETITIONERS** :

1. **Shiv Ram Singh Mourya,** Age about 37 year, Asstt. Teacher S/o Shri Sukuluram Mourya Boys Hostal Rotma, Block – Bastar, Distt. – Bastar (C.G.)
2. **Bhiv Ram Nag** Age about 41 year, Asstt. Teacher S/o Shri Dhaniram Nag Primary School Khadka (Madhota) Block – Bastar, Distt. – Bastar (C.G.)
3. **Manish Verma** Age about 38 year, Asstt. Teacher S/o Late Shri L.K.Verma Primary School Adawal Block – Bastar, Distt. – Bastar (C.G.)
4. **Chandra Bilas Agrawani** Age about 38 year, Asstt. Teacher S/o Late Shri H.R.Agrawani High School Ichchhapur Block – Bastar, Distt. – Bastar (C.G.)
5. **Smt. Pushp Lata Katlam** Age about 41 year, Asstt. Teacher W/o Shri Suresh Kumar Katlam Primary School Ghatkawali Block – Bastar, Distt. – Bastar (C.G.)
6. **Kamlochan Bisai** Age about 41 year, Asstt. Teacher S/o Shri Loknath Bisai Primary School Besrapal Block – Bastar, Distt. – Bastar (C.G.)
7. **Smt. Nirmala Thakur** Age about 42 year, Asstt. Teacher W/o Shri N.S.Thakur Pramary School Kolchur Block – Bastar, Distt. Bastar (C.G.)
8. **Ku. Dayamani Nag** Age about 39 year, Asstt. Teacher D/o Shri Patar Ram Nag Middle School Kolchur Block –Bastar, Distt. – Bastar (C.G.)

**VERSUS**

**RESPONDENTS** :

1. **State Govt. of Chhattisgarh** Through Secretary Tribal Welfare Department & Education Department D.K.S. Bhawan, Distt. – Raipur (C.G.)
2. **Astt. Commissioner** Jagdalpur, District –Bastar (C.G.)
3. **District Educaiton Officer** Jagdalpur, District – Bastar (C.G._
4. **Block Education Officer** Bastar, District –Bastar (C.G.)
5. **Treasure & Accounts** Jagdalpur, District – Bastar (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

**Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.**

Present: Shri Somkant Verma, Advocate for the petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/respondents.

**ORDER**

(Passed on 11th day of May, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006.

Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Subhash